

SHER TREMONTE LLP

June 15, 2023

**BY ECF**

Honorable Vernon S. Broderick  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Courtroom 518  
New York, New York 10007

**Re: *Charlotte Bennett v. Andrew M. Cuomo, et al.*, 22-CV-7846 (VSB)**

Dear Judge Broderick:

We represent former Governor Andrew Cuomo and write concerning the status of the above-referenced case. As this Court is aware, there has not yet been a Rule 16 conference and the Court has not yet authorized any discovery. Nevertheless, on Monday, June 12, 2023, Plaintiff, without first requesting a conference with the Court, served initial discovery requests on Governor Cuomo.

We do not have an issue with discovery commencing. Indeed, when authorized by the Court, we intend to serve Rule 45 subpoenas on a number of nonparty witnesses who have critical information regarding Plaintiff's prior false allegations of sexual misconduct, her history of untruthfulness, and the believability of her allegations against Governor Cuomo. These nonparty witnesses include but are not limited to John Doe,<sup>1</sup> Hamilton College, and the New York State Executive Chamber. We also intend to serve discovery requests and a deposition notice on Plaintiff.

We therefore request that the Court schedule a Rule 16 conference so that the parties can begin the discovery process.

Respectfully submitted,

/s/ Theresa Trzaskoma

Theresa Trzaskoma

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<sup>1</sup> See *Doe v. The Trustees of Hamilton Coll.*, No. 6:17-CV-1202 (MAD/ATB), ECF No. 1 (N.D.N.Y. Oct. 30, 2017) (alleging that Plaintiff falsely accused a Hamilton College classmate of sexual misconduct).